



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
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ATLANTA, GEORGIA 30303-8960

February 26, 2015

Roy E. Crabtree, Ph.D.  
Regional Administrator  
Southeast Regional Office  
National Marine Fisheries Service  
Southeast Regional Office  
263 13th Avenue South  
St. Petersburg, Florida 33701

**Subject: EPA NEPA Review Comments on NMFS's FEIS for "Final Amendment 40 to the Fishery Management Plan for the Reef Fish of the Gulf of Mexico" CEQ #20150021**

Dear Dr. Crabtree:

The U.S. Environmental Protection Agency (EPA) has reviewed the subject National Marine Fisheries Service (NMFS) Final Environmental Impact Statement (FEIS) in accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. EPA understands that the purpose of this action "is to define a distinct for-hire component of the recreational red snapper fishery and allocate red snapper resources between the components of the recreational sector to increase the stability for the for-hire component, provide a basis for increased flexibility in future management of the recreational sector, and minimize the chance for any recreational quota overruns which could jeopardize the rebuilding of the red snapper stock."<sup>1</sup>

This amendment considers three actions and a total of 16 alternatives. The proposed actions include:

1. Establishment of Distinct Components with the Recreational Sector
2. Allocation of the Red Snapper Quota between the Components
3. Recreational Closure Provisions

No action and action alternatives are discussed in the FEIS. Preferred alternatives were identified by NMFS for each action. EPA reviewed and provided comments on the DEIS for this proposed action in a letter dated October 16, 2014.

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<sup>1</sup> P. 16 of FEIS

EPA has the responsibility to review and comment on major Federal actions significantly affecting the quality of the human environment, including FMPs and FMP Amendments (Amendments) as developed, approved, and implemented under the MSA where those Plans and Amendments are subject to the EIS requirement of NEPA, but it should be clear that we defer to NMFS and the Council as to the development of fishery statistics and the relative importance of the commercial and recreational fisheries for each species.

EPA appreciates that NMFS provided a dedicated section at the end of the FEIS (appendix E) that provided specific responses to our comments on the DEIS. We have chosen to focus our review on NMFS's responses to our previous comments. EPA provided comments relating to the environmental justice analysis, gulf hypoxia zone, and editorial issues noted in our review. EPA notes that additional text and discussion were provided in the FEIS that satisfy our comments provided on the DEIS. EPA has no additional comments.

**Summary:**

EPA supports NMFS and the Council on Amendment 40 to the FMP for the Reef Fish of the Gulf of Mexico and gives deference to their fishery expertise. Lastly, we request a copy of the NMFS ROD.

EPA appreciates the opportunity to review this FEIS. Should NMFS have questions regarding our comments on the Amendment actions, please feel free to contact Dan Holliman at 404/562-9531 or [holliman.daniel@epa.gov](mailto:holliman.daniel@epa.gov) of my staff.

Sincerely,

A handwritten signature in dark ink, appearing to read "Heinz Mueller", with a stylized, flowing script.

Heinz J. Mueller  
Chief, NEPA Program Office